

Appl. No. 10/731,235
Amdt. dated February 24, 2009
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2168

PATENT

REMARKS/ARGUMENTS

Status of the Claims

Claims 24-26 are currently pending in the application. No claims have been amended. No new have been added or canceled. Therefore, claims 24-26 are present for examination. Claims 24, 25, and 26 are independent claims.

35 U.S.C. §102 Rejection, Tanaka et al.

Claims 24-26 are rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent Publication No. 2005/0203992 to Tanaka et al. ("Tanaka").

The Claimed Invention

According to the claimed invention in claim 24, the recording medium includes "universal resource locator (URL) information for indicating a location of a server from which related content which relates to the audiovisual content is downloaded." Thus, the claimed invention includes the following two points:

- (1) URL information is recorded on the recording medium; and
- (2) The URL information indicates the location of the server for the related content.

According to the claimed invention, it becomes possible for the user to connect to a service provider site without conducting cumbersome operations to obtain the service content, such as, inputting a connection destination URL. Also, the URLs of the dedicated service provider sites can be set per content, whereby it becomes possible for the content provider to easily provide user-friendly services specialized for the user who purchased the content. For example, even if the content that the user is playing is outdated, it becomes possible to provide service content matching the time the content is played or the class of content, and the user can at any time receive content that matches current trends. Thus, the claimed invention can contribute to business development of the content providers and improve user-friendliness. (see paragraph [0032] of the Specification).

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In contrast, Tanaka discloses sending a CD identifier to a server and obtaining "contents 10" or a URL from the server, whereas, the claimed invention is using a recording medium which already has a contents ID and a URL on it. Hence, the claimed invention and Tanaka are different (if the claimed invention's concept is applied to Tanaka's system, the contents ID and the URL have to be recorded on a recording medium in terminal 1 (before accessing to the server outside)). The Office Action cites several sections of Tanaka to explain the claimed invention; however, each of the cited sections in Tanaka differ from the claimed invention. The explanation of the differences are shown below.

Regarding the claim limitation "wherein the content recorded on the recording medium includes one or more of the following: audiovisual content, identification information for identifying the audiovisual content, universal resource locator (URL) information for indicating a location of a server from which related content which relates to the audiovisual content is downloaded, and data for use in downloading the related content, wherein the device automatically requests the data and the data facilitates establishing a connection between the server and the device"

The Office Action asserts that Tanaka at paragraph 0109 discloses that "content 10" is managed in the "CD-information server 3." However, if the claimed invention is applied to Tanaka, the "content 10" would have to be recorded in the "terminal 1" instead of "CD-information server 3." Therefore, the claimed invention and Tanaka are different.

The Office Action further asserts that Tanaka at paragraph 0111 discloses that the "URL" is included in the "additional information." However, this paragraph clearly states that the "terminal 1" does not have "additional information" unless it obtains the additional information from the CD-information server 3, and since paragraph 0110 describes that "CD-information server 3 also... manage[es]... additional information", if the claimed invention was applied to Tanaka, the "URL" would have to be recorded in the "terminal 1" instead of "CD-information server 3." Thus, the claimed invention further differs from Tanaka.

Tanaka at paragraph 0219, describes Fig. 7 (a diagram showing the data structure of a management file including a CD identifier as well as CD-title information and content IDs). However, this paragraph states that the structure of Fig. 7 cannot be generated unless the terminal obtains a contents ID from the CD-information server 3, and since paragraph 0231

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describes "[t]hen, for the transmitted CD identifier, the terminal 1 receives a content ID and CD-title information from the CD-information server 3 so that the terminal 1 is capable of creating a management file like the one shown in FIG. 7", then if the claimed invention is applied to Tanaka, the contents 10 would have to be recorded in the "terminal 1" *even if* the terminal 1 has not connected to the "CD-information server 3." Therefore, for this additional reason the claimed invention and Tanaka are different.

The Office Action asserts that Tanaka at paragraph 0318 discloses that the URL is included in the additional information of a song list. However, the song list is not obtained from the terminal 1, unless the terminal 1 accesses the distribution server 5 (see Fig. 16). Therefore, the additional information which has the URL will also not be obtained from the terminal 1 unless it accesses the distribution server 5, which differs from the claimed invention.

In conclusion, the Office Action indicates that "wherein a CD identifier is read once a CD is inserted, containing information such as URL location and server information" is disclosed by Tanaka. However, the URL will not be obtained from the CD identifier even if the CD is inserted and reproduced, since the CD identifier generally does not include URL information. Presently, databases which provide names of CD titles such as CDDb are often used; however, an apparatus which reproduces the recording medium basically connects to a server of the database by reading the URL of the server from a memory of the apparatus itself (instead of reading the URL from the recording medium), because the URL of the server is stored in the memory of the apparatus. In the claimed invention, the URL is read from the recording medium, so the claimed invention and the conventional apparatus are different, and Tanaka does not differ from the conventional apparatus, but instead merely describes same apparatus as the conventional apparatus. Thus, there is no way for Tanaka to obtain URL information just from reproducing the CD identifier.

Thus, for at least these reasons, Applicants submit that Tanaka fails to teach or suggest "wherein the content recorded on the recording medium includes one or more of the following: audiovisual content, identification information for identifying the audiovisual content, universal resource locator (URL) information for indicating a location of a server from

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which related content which relates to the audiovisual content is downloaded, and data for use in downloading the related content, wherein the device automatically requests the data and the data facilitates establishing a connection between the server and the device.”

Regarding the claim limitation “wherein the system control module is further configured to instruct the network control module to connect with the server using the URL information and the content reproduced by the recording medium control module, to send the content identification information reproduced by the recording medium control module to the server, and to download the related content from the server using the data to execute a command to connect the device to the server, if the user indicates to the device to download the related content”

The Office Action asserts that Tanaka’s figure 12 shows the operation of obtaining the content ID and CD title information via contents ID server 3b, by sending the CD identifier to the CD title information server 3a. However, those contents ID and CD title information are different from the claimed invention’s “related content.” The example of “related content” written in the claimed invention is “a director’s cut (collection of scenes not utilized at the time the movie was edited), making-of-the-movie clips (content documenting the process of making the movie at the time of shooting or the time of creation), or bloopers (collection of scenes in which the actors made mistakes).” (see Specification at paragraph [0251]). In Tanaka, the contents ID is clearly different from the content itself because the contents ID is used to obtain the content itself, as described in Fig. 16.

Paragraphs 0257-0260 of Tanaka describe Figure 9. These paragraphs describe obtaining the content 10 and the CD title information by sending a CD identifier to the CD information server 3; however, these paragraphs are describing the same operations as in figure 12, and thus also fail to teach or suggest the operations of the claimed invention.

Paragraphs 0309-0318 of Tanaka essentially describe figure 15. It is illustrated that the URL information of the contents is included in the additional data of the song list. However, the song list cannot be downloaded unless the terminal 1 accesses to the distribution server 5, as described in figure 16. Therefore, the URL information is not recorded on the recording medium of the terminal 1, thus Tanaka and the claimed invention differ further.

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Moreover, Tanaka's URL information indicates the location of server of the contents. "The contents" in Tanaka is equal to "the audiovisual content" in of the claimed invention, and the claimed invention's URL indicates the location of server of the *related* contents, not the audiovisual contents, therefore, the claimed invention's URL and Tanaka's URL are different.

In conclusion, Tanaka can only obtain the song list by connecting to the CD Title Information Server and a Content Server 10. As explained above, (i) this song list is not same as the related contents in the claimed invention, and (ii) the URL included in Tanaka's song list is not same as the URL of the claimed invention. Thus, Tanaka does not teach or suggest "wherein the system control module is further configured to instruct the network control module to connect with the server using the URL information and the content reproduced by the recording medium control module, to send the content identification information reproduced by the recording medium control module to the server, and to download the related content from the server using the data to execute a command to connect the device to the server, if the user indicates to the device to download the related content". Accordingly, for at least these reasons, Applicants respectfully request that this rejection be withdrawn.

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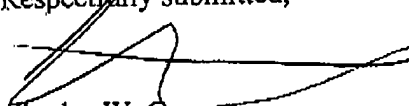
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



Charles W. Gray
Reg. No. 61,345

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
CWG:cmb
61819431 v1